

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

JESUS MANCILLAS,

Plaintiff,

v.

Crim. No. 2:19cv429

EXECUTIVE LANDSCAPE, INC. *et al.*,

Defendant.

ORDER

The matter before the Court is an Offer of Judgment by Defendants pursuant to Federal Rule of Civil Procedure 68 that was accepted by Plaintiff. ECF No. 3. Settlements of claims under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.*, are subject to Court approval. For the following reasons, the accepted Offer of Judgment is **APPROVED**.

“*Lynn’s Food* instructs the Court to ‘determine that a settlement proposed by an employer and employees, in a suit brought by the employees under the FLSA, is a fair and reasonable resolution of a bona fide dispute over FLSA provisions.’” *Patel v. Barot*, 15 F. Supp. 3d 648, 654 (E.D. Va. 2014) (quoting *Lynn’s Food Stores, Inc. v. United States*, 679 F.2d 1350, 1355 (11th Cir. 1982)) (alteration omitted). “[I]f the Offer of Judgment provides Plaintiff full relief of [his] FLSA claims, then further judicial scrutiny is not necessary.” *Rumreich v. Good Shepherd Day School*, No: 2:17-cv-292-FtM-38MRM, 2018 WL 4760795, at *4 (M.D. Fla. July 31, 2018).

In the Offer of Judgment, Defendants offered \$29,830.00. ECF No. 3 at 4. This amount includes “all attorneys’ fees, costs, expert fees, prejudgment interest, unpaid wages, liquidated

damages, and any other claim or expense to date.” *Id.* It constitutes a “resolution of all counts” in the Complaint. *Id.*

Plaintiff accepted this offer. *Id.* at 1. Accordingly, “[t]here is no need for judicial scrutiny where, as here, the defendant represents that it has offered the plaintiff . . . full relief, and the plaintiff has not disputed that representation.” *Mackenzie v. Kindred*, 276 F. Supp. 2d 1211, 1217 (M.D. Fla. 2003). A “defendant’s offer of full relief is obviously reasonable.” *Id.*

For the reasons stated herein, the accepted Offer of Judgment (ECF No. 3) is **APPROVED**.

The Clerk is **REQUESTED** to send a copy of this Order to counsel of record for all parties.

IT IS SO ORDERED.



Arenda L. Wright Allen
United States District Judge

11/19, 2019
Norfolk, Virginia